

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAKERRIUS JACHUN GILL,

Defendant.

4:22CR3007

ORDER

Defendant has moved for a 90-day continuance of the pretrial motion deadline and trial date, (Filing No. 22), because Defendant and defense counsel need additional time to fully review the discovery received before deciding if pretrial motions should be filed. This defendant has been in custody for 7 months already, the case is not complex (See Filing No. 1, complaint affidavit), and the court has already granted a 90-day extension, followed by a two-week extension, of the pretrial motion deadline. The motion to continue is unopposed. However, the court is not convinced that a 90-day continuance is needed. Thirty days is sufficient. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 22), is granted in part.
- 2) Pretrial motions and briefs shall be filed on or before August 22, 2022
- 3) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on October 3, 2022, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.

- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and October 3, 2022 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 22nd day of July, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge